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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,826	04/25/2001	Jiro Hamada	Q64154	6091

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SUGHRUE, MION, ZINN, MACPEAK & SEAS
Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER

CHEUNG, MARY DA ZHI WANG

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 04/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/840,826

Applicant(s)

HAMADA, JIRO

Examiner

Mary Cheung

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ML

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of the Claims

1. This action is in response to the amendment filed on February 4, 2004. Claims 1-10 are pending. Claims 1 and 5 have been amended.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1, 4-5, 7-8 and 10 are rejected under 35 U.S.C. 102(a) as being anticipated by Valtanen, WO 99/56231.

As to claim 1, Valtanen teaches a service providing system comprising (abstract):

- a) A commerce provider server (corresponding to server A or T) connected a network (corresponding to Y) (see abstract and Fig. 1a);
- b) A purchaser terminal (corresponding to apparatus X), connected to said network and having an interface with a data holder (corresponding to Z), for receiving services from said commerce provider server and transmitting a selected service (corresponding to service purchased) and a purchaser identification number (corresponding to identifier 1) to said commerce provider server, so that said commerce provider server stores said selected service in correspondence with said purchaser identification number, wherein said selected

service along with said purchaser identification number is written into said data holder (page 4 line 20 – page 6 line 31 and Figs. 1a-2b);

c) A data reader (corresponding to reading device B) for reading said selected service and said purchaser identification number from said data holder (page 4 line 20 – page 6 line 31 and Figs. 1a-2b);

d) A data collating terminal (device B), connected between said data reader and said network, for receiving said selected service along with said purchaser identification number in advance, and collating said selected service and said purchaser identification from said data reader with those of said commerce provider server to verify whether or not a purchaser having said data holder is a true one (page 4 line 20 – page 6 line 31 and Figs. 1a-2b).

As to claim 4, Valtanen teaches said network comprises the Internet (abstract).

As to claim 5, Valtanen teaches a service providing system comprising (abstract):

a) A commerce provider server (corresponding to server A or T) connected a network (corresponding to Y) (see abstract and Fig. 1a);

b) A purchaser terminal (corresponding to apparatus X), connected to said network and having an interface with a data holder (corresponding to Z), for receiving services from said commerce provider server and transmitting a selected service (corresponding to service purchased) and a purchaser identification number (corresponding to identifier 1) to said commerce provider server, so that said commerce provider server stores said selected service in correspondence with said purchaser identification number, wherein said selected

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service along with said purchaser identification number is written into said data holder (page 4 line 20 – page 6 line 31 and Figs. 1a-2b);

c) A data reader (corresponding to reading device B) for reading said selected service and said purchaser identification number from said data holder (page 4 line 20 – page 6 line 31 and Figs. 1a-2b);

d) A data collating terminal (device B), connected between said data reader and said network, for retrieving said selected service stored in said commerce provider server by using said purchaser identification number read from said data reader, and collating said selected service from said data reader with said retrieved service from said commerce provider server to verify whether or not a purchaser having said data holder is a true one (page 4 line 20 – page 6 line 31 and Figs. 1a-2b).

As to claim 7, Valtanen teaches said network comprises the Internet (abstract).

Claims 8 and 10 are rejected for the similar reasons as claims 1 and 5.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-3, 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valtanen, WO 99/56231.

As to claims 2 and 9, Valtanen teaches various methods of using the data collating terminal to check the validity of the purchase (page 6 lines 8-31 and Figs. 1a-2b). Valtanen does not specifically state said data collating terminal retrieves said selected service stored in said commerce provider server by using said purchaser identification number read from said reader after it is verified that said purchaser is not said true one, and collates said selected service to verify whether or not said purchaser is said true one. It would have been obvious to one of ordinary skill in the art to allow the data collating terminal of Valtanen to use an alternative method of check the validity of the purchase after it is verified that said purchase is not said true one because this would improve the integrities of the data stored among the different terminals so that the entire service system can be more efficient to verify the validity of the purchase.

As to claims 3 and 6, Valtanen teaches said services are related to sales of tickets, such as airline services (page 7 line 25 – page 8 line 3). Valtanen does not specifically state the service is related to a railway service. It would have been obvious to one of ordinary skill in the art to allow the services in Valtanen's teachings to include a railway service because this would expand the usage environment of Valtanen's teachings and attract more services to use the system.

Response to Arguments

6. Applicant's arguments filed February 4, 2004 have been fully considered but they are not persuasive.

Applicant argues that Valtanen fails to teach or suggest the data collating terminal receives the selected service along with the purchaser identification number in

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advance, and verify whether or not a purchaser having said data holder is a true one.

Examiner respectfully disagrees because Valtanen teaches the data collating terminal (device B) receives purchaser identification number (identifier 1) for a trade, and if it is verified then finishing the trade (page 5 lines 15-25), which corresponds to this limitation.

In response to applicant's argument that Valtanen fails to teach the data collating terminal verifying the valid identity of the purchaser, examiner respectfully disagrees because Valtanen teaches the data collating terminal (device B) collects the identity of the purchaser (identifier 1) and checks the validity (page 5 line 15 – page 6 line 31).

Applicant further argues that the data collating terminal of the present application has different functionalities in contrast with the reading device B of Valtanen. However, examiner believes that functionalities in the reading device B in Valtanen's teaching or in the modified teaching of Valtanen read on the claimed limitations.

Conclusion

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (703)-305-0084. The examiner can normally be reached on Monday – Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

The fax phone number for the organization where this application or proceedings is assigned are as follows:

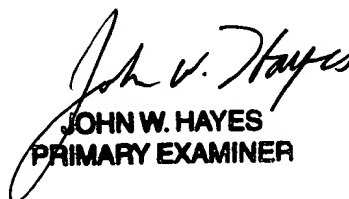
(703) 872-9306 (Official Communications; including After Final

Communications labeled "BOX AF")

(703) 746-5619 (Draft Communications)

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, 7th Floor Receptionist.

Mary Cheung
Patent Examiner
Art Unit 3621
April 16, 2004


JOHN W. HAYES
PRIMARY EXAMINER